

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
vs.) Case No. 3:21-cr-30016-DWD
)
)
MARCUS A. GREER,)
)
)
Defendant.)

MEMORANDUM & ORDER

DUGAN, District Judge:

Before the Court is Defendant's Motion for Sentence Reduction under 18 U.S.C. § 3582(c)(2) and Amendment 821 ("Motion"). (Doc. 47). The Government does not oppose the Motion. (Doc. 49).

The parties agree Defendant is eligible for a reduction of sentence under Part A of Amendment 821, which amended U.S.S.G. § 4A1.1(e). On February 16, 2022, this Court sentenced Defendant to 57 months incarceration for one count of Felon in Possession of a Firearm. (Doc. 41). At sentencing, Defendant received + 2 status points for committing this offense while on probation. (Doc. 30). Defendant received a total criminal history point tally of 4 with a corresponding category of III. (Doc. 30). His advisory guideline range was 57 to 71 months. (Docs. 47 and 49). Here, under the retroactive amendment to § 4A1.1, Defendant's criminal history points are reduced to 2 and his criminal history category is reduced to II, resulting in a lower advisory guideline range of 51 to 63 months of imprisonment. (Docs. 47 and 49). In light of the lower advisory guideline range, the

parties agree a sentence reduction from 57 months of imprisonment to 51 months of imprisonment is proper. (Docs. 47 and 49).

Upon consideration of the Motion, the Government's Response, the policy statement set forth at U.S.S.G. §1B1.10, and the sentencing factors set forth in 18 U.S.C. § 3553(a), including as considered, evaluated, and applied by the undersigned at the time of the original sentence, the Court agrees that a proportionate reduction in sentence from the original sentence imposed is appropriate.

Accordingly, the Court **GRANTS** the Motion (Doc. 47) and **REDUCES** Defendant's sentence from 57 months of imprisonment to 51 months of imprisonment on Count I, effective February 1, 2024. All other terms of the judgment dated February 16, 2022 (Doc. 41) are to remain unchanged. The Court attaches its standard order (AO Form 247) to reflect the aforementioned sentence reduction.

SO ORDERED.

Dated: January 29, 2024

A handwritten signature of David W. Dugan in black ink. The signature is fluid and cursive, with 'David W.' on the left and 'Dugan' on the right. To the left of the signature is a circular seal of the United States District Court for the Southern District of Illinois. The seal features an eagle with wings spread, holding a shield with stars and stripes. The text 'UNITED STATES DISTRICT COURT' is at the top, and 'SOUTHERN DISTRICT OF ILLINOIS' is at the bottom.

DAVID W. DUGAN
United States District Judge